

What is a U.S. Person?

- A U.S. citizen
- A permanent resident alien ("Green Card")
- A group composed substantially of U.S. persons
- A corporation incorporated in the U.S. (unless controlled by a foreign government)



What if I Don't Know?

INSIDE the United States

Presume U.S. person unless: You know the person is a non-citizen but don't have specific information that they have a green card

OUTSIDE the United States

Presume non-U.S. person unless you have specific information that they are a U.S. person

Intelligence Oversight

The DoD Intelligence Oversight program is designed to ensure that DoD can conduct its foreign intelligence and counter-intelligence missions while protecting the statutory and constitutional rights of U.S. Persons. It also provides for the reporting of questionable activities.



DCSA Intelligence Oversight Program

Your DCSA Point of Contact Is:

DCSA Intelligence Oversight Program

Information Categories

Summary Sheet
DoDM 5240.01



This product approved by the
Defense Counterintelligence
Security Agency (DCSA)
Counterintelligence (CI) Directorate
<https://www.dcsa.mil>

Procedure 2-Collection

U.S. Person Information (USPI) received by a Defense Intelligence Component (DIC) such as the DCSA CI Directorate and necessary to perform a function assigned to DCSA; and the information fits within one (or more) of the following categories:

Category 1: Publicly available information (example: Internet, open source research)

Category 2: Information obtained with the consent of the person (example: the person has consented to a background or name check)

Category 3: Information is reasonably believed to be Foreign Intelligence and the U.S. Person is reasonably believed to be:

- (1) an officer or employee of, or acting on behalf of a foreign power;
- (2) an organization owned or controlled by, or acting on behalf of, a foreign power;
- (3) engaged in international terrorism or narcotics activities;
- (4) a corporation or other organization reasonably believed to have some relationship with a foreign power, organization, or institution;
- (5) a POW or MIA, or a target, hostage, or victim of an international terrorism or narcotics organization.

Category 4: CI. Information that is reasonably believed to be CI and the U.S. Person is one of the following:

- (1) reasonably believed to be engaged in or preparing to be engaged in espionage, or other intelligence activities, sabotage, or assassination on behalf of a foreign power, organization or person;
- (2) reasonably believed to be engaged or preparing to be engaged in international terrorist activities;
- (3) reasonably believed to be acting for, or in furtherance of, the goals or objectives of an international terrorist or international terrorist organization;
- (4) in contact with a U.S. Person described in (1), (2), or (3) above.

Category 5: Threats to Safety. Information is needed to protect safety of any person or organization including targets, victims, or hostages of international terrorist organizations. DIC only collects if threat has foreign connection, person's life is in imminent danger, or the information is needed for maritime or aeronautical safety of navigation.

Category 6: Protection of Intelligence Sources, Methods, and Activities.

Category 7: Current, Former, or Potential Sources of Assistance to Intelligence Activities. This category does not include investigations undertaken for personnel security purposes.

Category 8: Persons in Contact With Sources or Potential Sources.

Category 9: Personnel Security. The information is arising from a lawful personnel security investigation.

Category 10: Physical Security. The information is about U.S. Persons reasonably believed to have a foreign connection and who pose a threat to the physical security of DoD personnel, installations, operations, or visitors.

Category 11: Communications Security Investigation. The information is arising from a lawful communications security investigation.

Category 12: Overhead and Airborne Reconnaissance. The information is obtained from overhead and airborne reconnaissance, including from unmanned aircraft systems and imagery from overhead or airborne collection platforms operated commercially or obtained from other sources.

Category 13: Administrative Purposes. The information is required for administrative purposes.

